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SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A. P.O. BOX 2938 MINNEAPOLIS, MN 55402			MANCHO, RONNIE M	
			ART UNIT	PAPER NUMBER
			3663	
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Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/068,992

Applicant(s)

BURCH ET AL.

Examiner

Ronnie Mancho

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 October 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-36, 38, 39 and 41-47 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-36, 38, 39, 41-47 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

2. Claims 1-29, 38-39, 41-43, 45-47 are rejected under 35 U.S.C. 102(e) as being anticipated by Ran (6317686)

Regarding claim 1, Ran discloses a method of using a Personal Digital Assistant (PDA, fig. 1, col. 17, lines 25-30) to provide travel expenses for an expense report (fig. 9, steps 97, 99; col. 22, lines 41+), comprising:

monitoring travel (col. 21, lines 60-64) of the PDA (PDA, fig. 1, col. 17, lines 25-30; col. 21, lines 39-49) and recording (see saved information, col. 22, lines 9-15) track log data points (point to point, node, node coordinate; col. 17, lines 17-39; col. 21, lines 30-49) that represent the PDA travel (figs. 6, 8-10); and

associating a travel distance from the recorded track log with a PDA expense report entry (fig. 9, steps 97, 99; col. 22, lines 41-49).

Regarding claim 2, Ran discloses the method of claim 1, wherein monitoring travel of the PDA includes:

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identifying a starting location (col. 22, lines 4-15; fig. 8, sections 84, 814);  
identifying an ending location (col. 22, lines 4-15; fig. 8, sections 84, 814); and  
wherein associating the travel distance includes determining the travel distance (col. 22, lines 46-49; fig. 9) based on starting location, the ending location (col. 22, lines 33-36), and the recorded track log (point to point, node, node coordinate; col. 17, lines 17-39; col. 21, lines 30-49).

Regarding claim 3, Ran discloses the method of claim 2, further comprising:

wirelessly transmitting the starting location (col. 21, lines 50+; col. 22, lines 4-8) position and the ending location from the PDA (16, col. 17, lines 25-30) to an external electronic device 85 (fig. 8) such that the external electronic device 85 is capable of calculating the route and determining the travel distance (col. 21, lines 39 through col. 22, lines 1-49) based on starting location, the ending location (col. 22, lines 33-36), and the recorded track log (point to point, node, node coordinate; col. 17, lines 17-39; col. 21, lines 30-49); and

wirelessly transmitting (fig. 8; col. 21, lines 39 through col. 22, lines 1-49) the travel distance from the external device 85 to the PDA (16, col. 17, lines 25-30).

Regarding claim 4, Ran (col. 17, lines 17-47) discloses the method of claim 2, wherein at least one of identifying a starting location and identifying an ending location includes using a waypoint to identify the location.

Regarding claim 5, Ran (col. 17, lines 34-47) discloses the method of claim 2, wherein at least one of identifying a starting location and identifying an ending location includes using an address to identify the location.

Regarding claim 6, Ran (col. 17, lines 34-47) discloses the method of claim 2, wherein at least one of identifying a starting location and identifying an ending location includes using a map feature to identify a location.

Regarding claim 7, Ran (col. 17, lines 34-47; col.22, lines 4-9) discloses the method of claim 2, wherein at least one of identifying a starting location and identifying an ending location includes manually entering coordinates.

Regarding claim 8, Ran (col. 17, lines 34-47) discloses the method of claim 2, wherein at least one of identifying a starting location and identifying an ending location includes manually selecting a location on an electronic map.

Regarding claim 9, Ran (fig. 7, col. 21; figs. 8&9) discloses the method of claim 1, wherein associating a travel distance includes:

identifying a first endpoint on a newly recorded track log (note that data is updated in the prior art; col. 22, lines 4-21);

identifying a second endpoint on the a newly recorded track log (note that data is updated in prior art; col. 22, lines 4-21); and

determining the travel distance along the newly recorded track log (note that data is updated in prior art; col. 22, lines 4-21) between the first endpoint and the second endpoint.

Regarding claim 10, Ran discloses the method of claim 9, further comprising forming the newly recorded track log by monitoring PDA travel (col. 21, lines 62-64; GPS, col. 22, lines 4+).

Regarding claim 11, Ran discloses the method of claim 10, wherein forming the newly recorded travel log by monitoring PDA 16 travel includes:

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identifying PDA positions using global positioning system (GPS, col. 22, lines 4+) technology over a period of time; and

recording (col. 22, lines 4-21) a set of track log points for the track log by using at least some of the identified PDA positions (col. 21, lines 62-64).

Regarding claim 12, Ran (col. 22, lines 9-15) discloses the method of claim 10, further comprising storing the newly recorded track log in a memory located in the PDA (col. 22, lines 9-15, lines 22+; col. 21, lines 42-49).

Regarding claim 13, Ran (col. 21, lines 62-64) discloses the method of claim 10, further comprising storing the newly recorded track log in memory of an electronic device that is external to the PDA.

Regarding claim 14, Ran (col. 20-22) method of claim 13, further comprising wirelessly transmitting the first endpoint, the second endpoint, and the newly recorded track log to the electronic device such that the external device is capable of determining the travel distance along the newly recorded track log between the first endpoint and the second endpoint.

Regarding claim 15, Ran (cols. 20-22) discloses a method of using a Personal Digital Assistant (PDA, fig. 1, col. 17, lines 25-30) to provide travel expenses for an expense report (fig. 9, steps 97, 99; col. 22, lines 41+), comprising:

identifying a starting location of the PDA (col. 22, lines 22-66);

monitoring travel of the PDA from the starting location (col. 22, lines 22-66);

recording (col. 22, lines 9-15) a number of track log data points (point to point, node, node coordinate; col. 17, lines 17-39; col. 21, lines 30-49) that represent actual positions of the PDA from the monitored travel of the PDA (figs. 6, 8-10); and

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associating a travel distance with a PDA expense report entry (fig. 9, steps 97, 99; col. 22, lines 41-49), the travel distance taken from the number of track log data points that represent actual positions of the PDA from the monitored travel of the PDA (point to point, node, node coordinate; col. 17, lines 17-39; col. 21, lines 30-49; col. 22, lines 22-66).

Regarding claim 16, Ran (cols. 20-22; fig. 9) disclose the method of claim 15, wherein: identifying a starting location includes resetting a counter; and

monitoring travel from the starting location includes incrementing the counter (col. 22, lines 42-49).

Regarding claim 17, Ran (col. 22; fig. 9) disclose the method of claim 15, wherein monitoring travel from the starting location includes monitoring a position of the PDA using global positioning system (GPS) technology (col. 24, lines 14+).

Regarding claim 18, Ran (col. 17, line 29; fig. 1) disclose the method of claim 15, wherein monitoring travel from the starting location includes receiving a signal from a vehicle odometer that indicates the distance traveled.

Regarding claim 19, Ran (col. 22, lines 36-49; fig. 9) disclose the method of claim 15, further comprising:

transmitting the travel distance associated with the PDA expense report entry to an electronic system (85, fig. 8) external to the PDA;

calculating a travel expense based on the travel distance transmitted to the electronic system; and

creating an expense report that includes the travel expense.

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Regarding claim 20, Ran (col. 22, lines 36-49; fig. 9) disclose the method of claim 15, further comprising calculating a travel expense based on the travel distance, wherein associating the travel distance with a PDA expense report entry includes associating the travel expense with the PDA expense report entry for use in creating the expense report.

Regarding claim 21, Ran disclose a method of using a Personal Digital Assistant (PDA, fig. 1, col. 17, lines 25-30) to provide travel expenses for an expense report (fig. 9, steps 97, 99; col. 22, lines 41+), comprising:

selecting a procedure for determining a travel distance based on navigation data (fig. 9, steps 97, 99; col. 22, lines 41-49), wherein the procedures for determining a travel distance include:

calculating a route between a starting location and an ending location (col. 22, lines 4-15);

determining a distance along a track log (prediction out put 98) between the starting location and the ending location (col. 22, lines 22-49); and

incrementing a counter to monitor a distance traveled (col. 22, lines 42-49; fig. 9) from the starting location;

determining the travel distance based on navigation data using the selected procedure (col. 22, lines 22-49); and

associating the travel distance with a PDA (16, col. 17, lines 25-30) expense report entry (fig. 1; col. 17, lines 25-30; fig. 9, steps 97, 99; col. 22, lines 41-49).

Regarding claim 22, Ran (fig. 8&9) disclose the method of claim 21, wherein calculating a route between a starting location and an ending location includes:



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wirelessly transmitting the starting location (col. 21, lines 50+; col. 22, lines 4-8) and the ending location from the PDA (16, col. 17, lines 25-30) to an external electronic device 85 (fig. 8) such that the external electronic device 85 is capable of calculating the route and determining the travel distance (col. 21, lines 39 through col. 22, lines 1-49); and

wirelessly transmitting (fig. 8; col. 21, lines 39 through col. 22, lines 1-49) the travel distance from the external device 85 to the PDA (16, col. 17, lines 25-30).

Regarding claim 23, Ran (fig. 8&9) disclose the method of claim 21, wherein determining a distance along a track log between the starting location and the ending location further comprises forming the track log by monitoring PDA travel (col. 21&22).

Regarding claim 24, Ran (fig. 8&9) disclose the method of claim 23, wherein forming the travel log by monitoring PDA travel includes:

identifying PDA positions using global positioning system (GPS) technology over a period of time (col. 22, lines 4+); and

forming a set of track log points for the track log by using at least some of the identified PDA positions (col. 21, lines 30+).

Regarding claim 25, Ran (fig. 8&9) disclose the method of claim 21, wherein determining a distance along a track log between the starting location and the ending location further comprises storing the track log in a memory located in the PDA (col. 22, lines 9-15, lines 22+; col. 21, lines 42-49).

Regarding claim 26, Ran (fig. 8&9) disclose the method of claim 21, wherein determining a distance along a track log between the starting location and the ending location

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further comprises storing the track log in an electronic device memory 85 that is external to the PDA (col. 22, lines 9-15, lines 22+; col. 21, lines 42-49).

Regarding claim 27, Ran (fig. 8&9) disclose the method of claim 26, wherein determining a distance along a track log between the starting location and the ending location further comprises wirelessly transmitting the first endpoint, the second endpoint, and the track log to the electronic device 85 such that the external device 85 is capable of determining the distance along the track log between the first endpoint and the second endpoint (col. 22, lines 4+).

Regarding claim 28, Ran (fig. 8&9; cols. 20-22; fig. 9) disclose the method of claim 21, further comprising resetting the counter to zero at the starting location (col. 22, lines 42-49).

Regarding claim 29 Ran (fig. 8&9; col. 22) disclose the method of claim 21, further comprising monitoring a position of the PDA using global positioning system (GPS) technology to monitor the distance traveled from the starting location.

Regarding claim 38, Ran discloses a method of using a Personal Digital Assistant (PDA, fig. 1, col. 17, lines 25-30) to provide travel expenses for an expense report (fig. 9, steps 97, 99; col. 22, lines 41+; fig. 12), comprising:

determining a travel distance (col. 24, lines 38-67) having business (airport) and non-business (walking to parking lot) segments based on navigation data (figs. 9-12, steps 97, 99; col. 22, lines 41-49; col. 24, lines 38-67); and

associating the travel distance of the business segments with a PDA expense report entry (figs. 9-12, steps 97, 99; col. 22, lines 41-49; col. 24, lines 38-67).

Regarding claim 39, Ran discloses the method of claim 38, wherein determining a travel distance based on navigation data includes determining a travel distance associated with a completed trip (i.e. identifying starting/ending locations; col. 22, lines 4-15; col. 22, lines 33-36; fig. 8, sections 84, 814).

Regarding claim 41, Ran discloses the method of claim 39, wherein determining a travel distance associated with a completed trip includes identifying a first and second end point (origin and destination, point to point, node, node coordinate; col. 21, lines 30-53; col. 17, lines 17-39) from within a track log of data points of the completed trip in order to associate a particular defined segment with a PDA expense report (fig. 9; col. 17, lines 17-39).

Regarding claim 42, Ran discloses the method of claim 38, wherein determining a travel distance includes identifying a starting location for a PDA (point to point, node, node coordinate; col. 17, lines 17-39; col. 21, lines 30-49) from which a travel of the PDA is monitored in taxi meter mode in order to associate only particular routes of travel with a PDA expense report.

Regarding claim 43, Ran discloses the method of claim 38, further comprising:  
transmitting the PDA expense report entry to an electronic device 85 (fig. 8) external to the PDA;

using the transmitted PDA expense report entry to calculate a travel expense (col. 21, lines 39 through col. 22, lines 1-49; fig. 9); and

using the calculated travel expense to generate an expense report (fig. 9).

Regarding claim 45, Ran discloses a Personal Digital Assistant (PDA, fig. 1, col. 17, lines 25-30) comprising:

a routing capability (figs 9, steps 97, 99; col. 22, lines 41+; figs. 10, 11);

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a position monitoring capability associated with the routing capability (col. 22, lines 9-15; figs. 6, 8-10), and

wherein the PDA includes an odometer (i.e. a measure of distance traveled e.g. by car) interface page (figs 9-11) available on display and which is operable for recording an expense report entry.

Regarding claim 46, Ran discloses a Personal Digital Assistant (PDA, fig. 1, col. 17, lines 25-30) of claim 45, wherein the PDA includes one or more interface pages, available on the display, which are actionable using a stylus to create the expense report entry.

Note that the use of a stylus or a finger on a PDA screen is very common and well known by one of high skill in the art.

Regarding claim 47, Ran discloses a Personal Digital Assistant (PDA, fig. 1, col. 17, lines 25-30) of claim 46, wherein at least one interface page is actionable to define the expense report entry in reference to recorded track log data and a first and a second specified time of day (figs. 9-11)

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ran (6317686) in view of Obradovich et al (2002/0013815).

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Regarding claim 30 Ran (fig. 8&9; col. 22) disclose the method of claim 21, but did not disclose receiving a signal from a vehicle odometer. However, Obradovich et al (sec. 0112, 0103, 0104) teach of using a PDA 130 to receive a signal from a vehicle odometer that indicates the distance traveled to monitor the distance traveled from the starting location.

Therefore, it would have been obvious to one of ordinary skill in the art of navigation to modify the Ran device as taught by Obradovich et al for the purpose of monitoring mileage of a rented vehicle.

5. Claims 31-36 are rejected under 35 U.S.C. 102(e) as being anticipated Yamashita et al (2002/0052689).

Regarding claim 31, Yamashita et al disclose a Personal Digital Assistant (PDA) device (section 0159, fig. 1) with an integrated electronic map and expense report (sec. 0060, 0058, 0059, 0064; figs. 1, 6) comprising:

a processor 1; and

a memory 4 (sec. 0060) adapted to communicate to the processor 1, the memory 4 including navigation data, expense report data, and computer-executable instructions (sec. 0058, 0059, 0064), wherein the computer-executable instructions (sec. 0058, 0059, 0064) are operable to:

monitor travel of the PDA (figs. 6A&B; sections 0059, 0064, 0093, 0159);

record (sections. 0060, 0093) track log data points (coordinates; sec 0067, 0068, 0074; nodes, sec. 0063) that represent actual positions of the PDA from the monitored travel of the PDA (sec. 0159);

identify a travel distance from the recorded (sections. 0060, 0093) track log data points (coordinates; sec 0067, 0068, 0074); and

associate the travel distance with the expense report data (sections. 0060 to 0064).

Regarding claim 32, Yamashita et al disclose the PDA device of claim 31, wherein the memory includes a removable map data cartridge (DVD, CD, section 0060) on which electronic map data is stored.

Regarding claim 33, Yamashita et al discloses the PDA device of claim 31, wherein the device includes a transceiver (fig. 8) adapted for transmitting and receiving wireless signals.

Regarding claim 34, Yamashita (sec. 0067) disclose the PDA device of claim 31, further comprising a Global Positioning System (GPS) receiver adapted to receive GPS signals, wherein the GPS receiver is adapted to communicate with the processor 1 (fig. 1).

Regarding claim 35, Yamashita (fig. 6A, etc) disclose the PDA device of claim 31, wherein the computer-executable instructions (sec. 0058, 0059) operable to identify a travel distance from the navigation data includes computer executable instructions operable to:

identify a starting location (secs. 0074 through 0078);

identify an ending location (secs. 0074 through 0078);

calculate a route between the starting location and the ending location (secs. 0074 through 0078); and

determine a distance (sec. 0077) along the route between the starting location and the ending location (secs. 0074 through 0078).

Regarding claim 36, Yamashita disclose the PDA device of claim 31, wherein the computer-executable instructions operable to identify a travel distance includes computer-executable instructions adapted to:

identify a first endpoint (sec. 0074) on a track log segment (links; secs. 0063, 0061, 0079 through 0078; fig. 6);

identify a second endpoint (sec. 0074) on the track log segment (links; secs. 0063, 0061, 0074 through 0079; fig. 6); and

determine a distance along the track log segment between the first endpoint and the second endpoint (secs. 0061, 0074 through 0079).

6. Claim 44 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ran (6317686) in view of DeLorme et al (5948040).

Regarding claim 44 (as best understood), Ran discloses a method of using a Personal Digital Assistant (PDA, fig. 1, col. 17, lines 25-30) to provide travel expenses for an expense report (fig. 9, steps 97, 99; col. 22, lines 41+), comprising:

monitoring a travel distance of the PDA (col. 22, lines 9-15; figs. 6, 8-10; col. 21, lines 62-64); and

associating a travel distance with an expense report entry on the PDA (fig. 9, steps 97, 99; col. 22, lines 41-49); and

entering a vendor (airport; col. 24, lines 38-43; figs. 9-12) to which the travel distance will be expensed, a travel-end location (col. 24, lines 38-67) in association with the expense-report entry (figs. 9&10; also see "itinerary" fig. 11, section 83).

Although Ran mentioned itinerary, Ran did not particularly mention an attendee in the travel expense report; however DeLorme et al teach of a PDA (col. 7, lines 22-33) travel report (Fig. 1B-2, Fig. 1B-3) including one or more attendees 147 (fig. 1B-3; col. 22, lines 19-22) traveling to an end location. Therefore, it would have been obvious to one of ordinary skill in the art of navigation to modify the Ran device as taught by DeLorme et al for the purpose of presenting more details about a trip.

### ***Response to Arguments***

7. Applicant's arguments filed 10-07-03 have been fully considered but they are not persuasive for the following reasons:

the applicant argues that Ran describes only predictive information and no actual track log to associate a travel distance with a PDA expense report entry is recorded. The examiner respectfully disagrees. Although Ran predicts travel distances and costs, Ran also uses actual stored track log data points to associate a travel distance with a PDA expense report entry. As an example, while en route, Ran, col. 22, lines 4-49 mentions collecting track log data points (current position such as nodes, point to point, etc using GPS) to associate a travel distance with a PDA expense report entry. Here, Ran also indicates that the data is continually updated on the go. *In addition, in Ran column 21, lines 60+, it is indicated that track log data points (travel data) are stored to create a historical statistic of the user's trip.*

In summary, Ran (fig. 1) discloses "monitoring travel of the PDA 16 travel and recording (col. 22, lines 9-15) track log data points (point to point, node, node coordinate; col. 17, lines 17-39; col. 21, lines 30-49) that represent the PDA travel (figs. 6, 8-10)". In addition, Ran uses GPS



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technology, or voice inputs and text technology (col. 22, lines 2-9) for monitoring PDA (col. lines 17-39) travel.

Ran provides a summary of historical statistical data of a trip taken by a user. If no data of a trip was recorded in the Ran reference then how can the user, using his PDA and a password and identification to retrieve such recorded data for historical statistical analysis, obtain a history of a trip taken in the past by the user ? The historical data was data of a trip taken in the past by a particular user, who has a password and identification, of the Ran device. By the user having a history of a trip taken with his PDA, it implies that his PDA use was monitored as it traveled a certain distance logging travel data associated with a cost. The applicant has not responded to examiners comments with regard to *Ran column 21, lines 60+*.

Next, the applicant argues that Ran uses GPS to make personalized traffic predictions and trip decisions. In response, the examiner does not understand the basis of the argument since Ran col. 22, lines 4+ obviously indicates that GPS is used to identify the current location of the user of the PDA. In addition, the current location is sent back to a personalized traffic prediction and trip decision system 85. It therefore can be clearly and unmistakably concluded here that the user of the PDA in the Ran device was being monitored as the user collected travel data using his PDA and sending back the collected travel to a monitoring system 85 which will determine, during a future trip taken by that particular user, if that user had taken that trip before (col. 21, lines 60-64).

Next, the applicant indicates an amendment to include business and non-business segments. In response, Ran figs. 9-12 anticipates the added limitations.

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Next, the applicant indicates an amendment to include entering of a vendor, a travel end location, and attendees. In response a new 103 rejection has been applied to the new limitations.

Next, the applicant argues that the reference does not disclose an odometer page. In response, Ran (figs 9-11) discloses an odometer page since odometer implies distance traveled. Since Ran discloses a page indicating distance traveled, Ran discloses an odometer page.

Next, the applicant argues that the reference does use the terms expense or report therein. In response, the reference is not obligated to use the exact terms as the invention since patents are not issued based on words used. Yamashita discloses cost, which is related to a travel expense report as known in the art of navigation. It is believed that the prior art anticipates the limitation "associating a travel distance with an expense report data".

It is further believed that the rejection of all the claims above is proper and stands.

### ***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

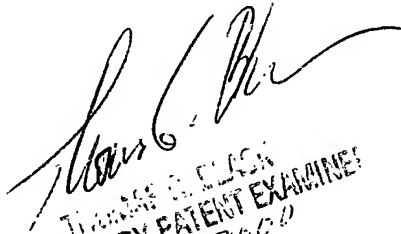
***Communication***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronnie Mancho whose telephone number is 703-305-6318. The examiner can normally be reached on Mon-Thurs: 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Black can be reached on 703-305 8233. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

December 13, 2003.

  
THOMAS G. BLACK  
SUPERVISORY PATENT EXAMINER  
GROUP 3663